



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Richard R. HERTZOG

Appln. No. 09/865,190

Group Art Unit: Not Yet Assigned

Confirmation No.:1636

Examiner: Not Yet Assigned

Filed: January 17, 2001

For: DECOMPOSITION OF CUMENE HYDROPEROXIDE

RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the "Notice of Incomplete Nonprovisional Application", mailed July 9, 2001, submitted herewith is the Submission of Drawings together with 2 sheets of drawings. Also, attached is a copy of the Notice of Incomplete Nonprovisional Application.

In the "Notice of Incomplete Nonprovisional Application" it is stated that a newly executed oath or declaration must be submitted. However, as acknowledged by the filing receipt accompanying the application, the original declaration was filed with the application. This original declaration covers the two pages of drawings submitted herewith. Therefore, a newly executed oath or declaration is not necessary.

In order to demonstrate the manner in which the original declaration covers the two drawings, attached hereto are (1) a copy of the official filing receipt from Serial No. 07/297,333, filed January 17, 1989, and (2) a copy of each of the two drawings from the PTO file of this

09/865,190-07/297,333

RESPONSE TO NOTICE OF INCOMPLETE
NONPROVISIONAL APPLICATION
U.S. Serial No. 09/865,190

Serial No. 07/297,333. The attached official filing receipt acknowledges that two sheets of drawings were filed. The two attached drawings are identical to those originally submitted, except that they have been stamped with Serial No. 07/297,333.

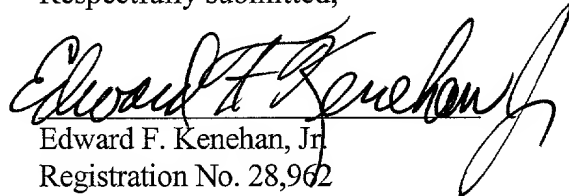
The copy of the previously submitted original declaration specifically refers to Serial No. 297,333, filed January 17, 1989. Therefore, it is clear that this original declaration, already of record, covers the drawings which were filed with Serial No. 07/297,333 and herewith.

By submission of drawings herewith, applicants do not concede that such drawings are necessary under 35 USC §113. However, in order to obviate this section, applicants do not contest that the filing date of the present Application Number 09/865,190 should be designated as the date of receipt of the two drawings submitted herewith.

The undersigned submits that the requirements under 35 U.S.C. § 113 have been met and respectfully requests that a filing date be issued.

Consideration of the attached is respectfully requested.

Respectfully submitted,


Edward F. Kenehan, Jr.
Registration No. 28,962

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Date: July 23, 2001

PATENT APPLICATION

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In re application of:

Richard R. HERTZOG

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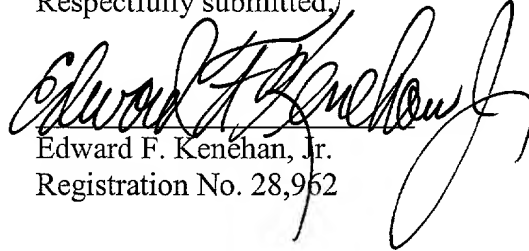
SUBMISSION OF DRAWINGS

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith please find two sheet(s) of drawings. The Examiner is respectfully requested to acknowledge receipt of these formal drawings.

Respectfully submitted,



Edward F. Kenenhan, Jr.
Registration No. 28,962

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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WASHINGTON, D. C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/865,190	01/17/2001	Richard R. Hertzog	A-7916

CONFIRMATION NO. 1636

FORMALITIES LETTER



OC00000006272033

SMITHRUE, MION, ZINN,
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2100 PENNSYLVANIA AVENUE, N.W.
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Date Mailed: 07/09/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE